



# Commissioners Court Agenda Request Form

**Commissioners Court Date:**

**04/08/2025**

**SUBJECT:** Enter a brief description of the agenda request.

Revision to Section 5.6.A.4 of the Kendall County Development Regulations effective 11-14-2022

**DEPARTMENT AND/OR PERSON MAKING THE REQUEST:** Non routine agenda requests or an item that will require any type of budget adjustment must have a precinct commissioner co-sponsor the agenda request to be placed on the agenda.

Commissioner Pct 3 Richard Chapman  
Commissioner Pct 4 Chad Carpenter  
General Counsel Matthew Grove  
County Engineer Mary Ellen Schulle

**PHONE NUMBER + EXTENSION:** i.e. 830-249-9343 ext. 212

830-249-9343 ext. 252

**TIME NEEDED FOR PRESENTATION:** How many minutes will be needed to present the item?

5 minutes

**PROPOSED AGENDA ITEM WORDING:** Enter the detailed wording of the Agenda Item as it should appear on the Agenda *\*Wording is subject to change as General Counsel and the County Judge have final determination on wording for an agenda item.*

Consideration and action on approving a revision to Section 5.6.A.4 of the Kendall County Development Regulations effective 11-14-2022

**REASON FOR THE AGENDA ITEM:** Enter the detailed wording as to why the item should be placed on the agenda.

Revision to Section 5.6.A.4 of the Kendall County Development Regulations effective 11-14-2022

**WHO WILL THIS AFFECT:** For example, enter "Countywide", a specific Precinct #, or "The Public"

Countywide

**WILL THIS AGENDA ITEM REQUIRE AND/OR RESULT IN ANY TYPE OF ADJUSTMENT TO THE COUNTY BUDGET?**

- NO  
 YES

**DOCUMENTATION:**

- NO  
 YES  
 INTENDED FOR THE PUBLIC  
 INTENDED FOR THE COURT ONLY

If there is documentation, **please submit it by noon on the Wednesday before Commissioners Court.** In addition, all Power Point Presentations/ slides must be submitted to the Judge's Office and the IT Department by noon on the Wednesday prior to Commissioners Court. This is will allow IT time to make sure presentations work as expected. Failure to provide all required supporting documents may result in the removal of the item from the agenda. *\*Deadlines are subject to change. Advance notice will be given by the County Judge's office.*

**PROVIDE A BRIEF DESCRIPTION OF THE DOCUMENTATION BEING SUBMITTED:**

Proposed rule revision

**ADDITIONAL INFORMATION:** Enter any additional information specific to this request to assist the Court in understanding the nature of the item or enter "None".

None

## EXISTING

### 5.6.A.4. Stormwater Management

- a. Stormwater management facilities shall not be located within the building setback.
- b. Stormwater management facilities shall be provided prior to site construction or clearing.
- c. Stormwater management shall be designed and constructed to prevent adverse conditions from arising on property adjoining, upstream, adjacent and downstream of the development site. Adverse conditions include increases in peak flows, water surface elevations, flow velocity, concentration of flows and rerouting of flows.
- d. The applicant shall provide a drainage report that shows mitigation of the impacts of development on the existing downstream drainage system. Mitigation may include detention, retention, infiltration, channel improvements, and other means acceptable to Kendall County Engineer. Stormwater Management facilities shall be designed to reduce the project's post-development peak flow rates of discharge to pre-development rates for the 2, 5, 10, 25, 50, and 100-year storm events at all points of discharge.
- e. Where an adequate outfall does not exist, discharge from stormwater management facilities shall be designed to return flow to sheet flow conditions before leaving the property.

## MODIFIED

- a. Stormwater management facilities shall not be located within the building setback. Stormwater management facilities may encroach into the setback provided the facility is set back a sufficient distance from the property line to demonstrate no adverse impact as described below. The facility may not encroach closer than 10' from a property line abutting a public right of way (including any required right-of-way dedication) or into a utility easement.
- b. Stormwater management facilities shall be provided prior to site construction or clearing.
- c. Stormwater management shall be designed and constructed to prevent adverse conditions from arising on property adjoining, upstream, adjacent and downstream of the development site. Adverse conditions include increases in peak flows, water surface elevations, flow velocity, concentration of flows and rerouting of flows.
- d. The applicant shall provide a drainage report that shows mitigation of the impacts of development on the existing downstream drainage system. Mitigation may include detention, retention, infiltration, channel improvements, and other means acceptable to Kendall County Engineer. Stormwater Management facilities shall be designed to reduce the project's post-development peak flow rates of discharge to pre-development rates for the 2, 5, 10, 25, 50, and 100-year storm events at all points of discharge.
- e. Where an adequate outfall does not exist, discharge from stormwater management facilities shall be designed to return flow to sheet flow conditions before leaving the property.

## **PROPOSED**

- a. Stormwater management facilities may encroach into the setback provided the facility is set back a sufficient distance from the property line to demonstrate no adverse impact as described below. The facility may not encroach closer than 10' from a property line abutting a public right of way (including any required right-of-way dedication) or into a utility easement.
- b. Stormwater management facilities shall be provided prior to site construction or clearing.
- c. Stormwater management shall be designed and constructed to prevent adverse conditions from arising on property adjoining, upstream, adjacent and downstream of the development site. Adverse conditions include increases in peak flows, water surface elevations, flow velocity, concentration of flows and rerouting of flows.
- d. The applicant shall provide a drainage report that shows mitigation of the impacts of development on the existing downstream drainage system. Mitigation may include detention, retention, infiltration, channel improvements, and other means acceptable to Kendall County Engineer. Stormwater Management facilities shall be designed to reduce the project's post-development peak flow rates of discharge to pre-development rates for the 2, 5, 10, 25, 50, and 100-year storm events at all points of discharge.
- e. Where an adequate outfall does not exist, discharge from stormwater management facilities shall be designed to return flow to sheet flow conditions before leaving the property.